Item No. 16C

TOWN OF LAUDERDALE-BY-THE-SEA

AGENDA ITEM REQUEST FORM

Town Manager

Department Submitting Request

Esther Colon

Dept Head's Signature

<u>Commission Meeting Dates</u>	<u>Last date to turn in to Town Clerk's Office</u>	<u>Commission Meeting Dates</u>	<u>Last date to turn in to Town Clerk's Office</u>	<u>Commission Meeting Dates</u>	<u>Last date to turn in to Town Clerk's Office</u>
<input type="checkbox"/> Nov 10, 2009	Oct. 30 (5:00 p.m.)	<input type="checkbox"/> Jan 26, 2010	Jan 15 (5:00 p.m.)	<input checked="" type="checkbox"/> March 23, 2010	Mar 12 (5:00 p.m.)
<input type="checkbox"/> Dec 1, 2009	Nov 20 (5:00 p.m.)	<input type="checkbox"/> Feb 9, 2010	Jan 29 (5:00 p.m.)	<input type="checkbox"/> April 13, 2010	April 2 (5:00p.m.)
<input type="checkbox"/> Dec 8, 2009	Nov 25 (5:00 p.m.)	<input type="checkbox"/> Feb 23, 2010	Feb 12 (5:00 p.m.)	<input type="checkbox"/> April 27, 2010	April 16 (5:00p.m.)
<input type="checkbox"/> Jan 12, 2010	Dec 31 (5:00 p.m.)	<input type="checkbox"/> Mar 4, 2010	Feb 19 (5:00p.m.)	<input type="checkbox"/> May 11, 2010	April 30 (5:00p.m.)

NATURE OF AGENDA ITEM

- | | | |
|---|---|--|
| <input type="checkbox"/> Presentation | <input type="checkbox"/> Resolution | <input checked="" type="checkbox"/> New Business |
| <input type="checkbox"/> Report | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Manager's Report |
| <input type="checkbox"/> Consent Agenda | <input type="checkbox"/> Public Hearing | <input type="checkbox"/> Attorney's Report |
| <input type="checkbox"/> Bids | <input type="checkbox"/> Old Business | <input type="checkbox"/> Other |

EXPLANATION: Discussion and/or action regarding drafting a resolution opposing the Local Bill proposing to create the Broward Independent Fire District

STAFF RECOMMENDATION:**BOARD/COMMITTEE RECOMMENDATION:****FISCAL IMPACT AND APPROPRIATION OF FUNDS:**

- | | |
|---|--|
| <input type="checkbox"/> Amount \$ _____ | <input type="checkbox"/> Acct # _____ |
| <input type="checkbox"/> Transfer of funds required | <input type="checkbox"/> From Acct # _____ |
| <input type="checkbox"/> Bid | <input type="checkbox"/> Grant <input type="checkbox"/> Amount represents matching funds |

Town Attorney review required

☒ Yes ☐ NoTown Manager's Initials: EC

**LAUDERDALE-BY-THE-SEA
SAMPLE RESOLUTION 2010-05**

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RESOLUTION 2010-05

**A RESOLUTION OF THE TOWN COMMISSION OF THE
TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA,
OPPOSING THE LOCAL BILL PROPOSING TO CREATE
THE BROWARD INDEPENDENT FIRE DISTRICT**

WHEREAS, First, on October 19, 2009, the Broward County Council of Professional Firefighters filed a Local Bill (the "Bill") with the Broward Legislative Delegation (the "Delegation") proposing to create the Broward Independent Fire District (the "District"), a special taxing district that would have authority to tax for fire and emergency medical services to all lands within Broward County (the "County") where the governing body where the lands are situated approves of services by the District for such lands; and

WHEREAS, Second the Bill was crafted without affording the opportunity of input from or review of all of the cities in the County; and

WHEREAS, Third, on January 7, 2010, the Broward League of Cities (the "BLOC") at its Board of Directors meeting voted to oppose the creation of the District; and

WHEREAS, Fourth, on January 7, 2010, the Delegation held a public hearing to consider, among other things, the Bill; and

WHEREAS, Fifth, the BLOC, through its General Counsel, appeared at the Delegation's public hearing and voiced its opposition to the creation of the District; and

WHEREAS, Sixth, notwithstanding the opposition to the Bill expressed by the BLOC, as well as others in attendance at the Delegation public hearing on January 7, 2010, the Delegation voted to approve the Bill and transmit same to Tallahassee for further consideration by the Florida Legislature; and

WHEREAS, Seventh, the Town of Lauderdale-By-The-Sea has determined that the creation of the District would create an additional taxing authority, create more bureaucracy and increase costs and overall taxes; and

WHEREAS, Eighth, in light of the foregoing, the Town Commission finds that it is in the best interest of the residents of the Town to oppose the creation of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA:

Section 1: The foregoing recitals contained in the preamble to this Resolution are incorporated by reference herein.

Section 2: The Town Commission opposes the local bill proposing to create the Broward Independent Fire District.

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48 Section 3: The Town Commission requests the Broward Legislative Delegation, the Florida
49 House of Representatives, the Florida Senate, and the Florida Governor to oppose the local bill
50 creating the District.

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52 Section 4: The appropriate Town officials are authorized to execute all necessary documents to
53 effectuate the intent of this Resolution.

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55 Section 5: The Town Clerk is directed to provide a copy of this Resolution to the Broward
56 Legislative Delegation, President of the Florida Senate, the Speaker of the Florida House of
57 Representatives, the Florida Governor, the Florida League of Cities, the Board of County
58 Commissioners for Broward County, the Broward League of Cities, the Broward City/County
59 Management Association, and all municipalities in Broward County.

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61 Section 6: This Resolution shall take effect upon its adoption.

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64 **PASSED AND ADOPTED** this _____ day of _____, 2010.

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70 **MAYOR ROSEANN MINNET**

71 **ATTEST:**

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75 June White, Town Clerk

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78 **Approved as to form:**

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81 _____
82 Susan L. Trevarthen, Town Attorney

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84 (CORPORATE SEAL)
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**TOWN OF LAUDERDALE-BY-THE-SEA
RESOLUTION 2008-07**

RESOLUTION 2008-07

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE BY THE SEA, FLORIDA, OPPOSING A PROPOSED LOCAL BILL CALLING FOR THE CREATION OF A TAXING DISTRICT CALLED THE BROWARD URBAN INDEPENDENT FIRE DISTRICT; DIRECTING THAT THIS RESOLUTION BE FORWARDED TO THE GOVERNOR, THE MEMBERS OF THE BROWARD COUNTY LEGISLATIVE DELEGATION, THE MEMBERS OF THE FLORIDA LEGISLATURE, THE BROWARD LEAGUE OF CITIES, ALL MUNICIPALITIES LOCATED IN BROWARD COUNTY, AND THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on or about October 18, 2007 a Local Bill was submitted providing for the creation of the Broward Urban Independent Fire District which would implement a system establishing one fee structure to deliver fire and emergency medical services to participating municipalities in Broward County (the "Local Bill"); and

WHEREAS, the Local Bill creates the Broward Urban Independent Fire District as a taxing district with the authority to impose impact fees, special assessments, user fees, and ad valorem taxes up to 3.75 mills; and

WHEREAS, the Town of Lauderdale By The Sea, Florida (the "Town") currently provides highly effective, professional, and efficient Fire Rescue services within the Town, and the Town Commission does not believe that there is a present need to establish a new independent taxing district to service fire rescue demands throughout Broward County where local municipalities and the County are currently providing a high level of service; and

WHEREAS, while the Town Commission of the Town of Lauderdale By The Sea recognizes that participation in the Broward Urban Independent Fire District is voluntary,

it also recognizes that there are significant adverse consequences for non-participant municipalities, such as potentially being unable to provide competitive salary and benefits compared with the Broward Urban Independent Fire District because of the District's ability to levy an exorbitant millage rate of 3.75 mills for solely fire and emergency medical services, and anticipated problems with mutual aid responses between participant and non-participant municipalities, as well as between non-participant municipalities and the District; and;

WHEREAS, the Bill in its current form does not require participating municipalities to lower their millage rates by the amount of their savings by joining the District, which will lead to an additional property tax levy and increased tax burdens on property owners contrary to the Legislature's stated goals of reducing property tax burdens in the state.

WHEREAS, the Town Commission deems it to be in the best interests of the citizens and residents of the Town and all of Broward County to oppose the Local Bill creating the Broward Urban Independent Fire District, and further urges municipalities throughout Broward County to join in this opposition.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE BY THE SEA, FLORIDA THAT:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

Section 2. The Town Commission of the Town of Lauderdale By The Sea, Florida hereby opposes the Local Bill providing for the creation of the Broward Urban Independent Fire District, which would implement a system establishing one fee structure

to deliver fire and emergency medical services to participating municipalities in Broward County. The Town Commission hereby further urges all municipalities located within Broward County to join in this opposition.

Section 3. The Town Clerk is hereby directed to provide a certified copy of this Resolution to the Governor of the State of Florida, all members of the Florida Legislature, the Broward League of Cities, all municipalities in Broward County, and the Broward County Board of County Commissioners.

Section 4. All resolutions or parts of resolutions on in conflict herewith be, and the same are hereby repealed to the extent of such conflict.

Section 5. If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

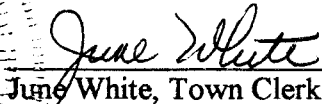
Section 6. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED in regular, adjourned session of the Town Commission of the Town of Lauderdale by the Sea assembled this 8th day of April, 2008.

**TOWN OF LAUDERDALE-BY-THE-SEA,
FLORIDA**


MAYOR ROSEANN MINNET

ATTEST:


June White, Town Clerk

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**CITY OF WESTON
RESOLUTION 2010-10**

RESOLUTION NO. 2010-10

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WESTON, FLORIDA, OPPOSING THE LOCAL BILL PROPOSING TO CREATE THE BROWARD INDEPENDENT FIRE DISTRICT.

WHEREAS, First, on October 19, 2009 the Broward County Council of Professional Firefighters filed a Local Bill (the "Bill") with the Broward Legislative Delegation (the "Delegation") proposing to create the Broward Independent Fire District (the "District"), a special taxing district that would have authority to tax for fire and emergency medical services to all lands within Broward County (the "County") where the governing body where the lands are situated approves of services by the District for such lands; and

WHEREAS, Second the Bill was crafted without affording the opportunity of input from or review of all of the cities in the County; and

WHEREAS, Third, on January 7, 2010, the Broward League of Cities (the "BLOC") at its Board of Directors meeting voted to oppose the creation of the District; and

WHEREAS, Fourth, on January 7, 2010, the Delegation held a public hearing to consider, among other things, the Bill; and

WHEREAS, Fifth, the BLOC, through its General Counsel, appeared at the Delegation's public hearing and voiced its opposition to the creation of the District; and

WHEREAS, Sixth, notwithstanding the opposition to the Bill expressed by the BLOC, as well as others in attendance at the Delegation public hearing on January 7, 2010, the Delegation voted to approve the Bill and transmit same to Tallahassee for further consideration by the Legislature; and

WHEREAS, Seventh, the City of Weston has determined that the creation of the District would create an additional taxing authority, create more bureaucracy and increase costs and overall taxes; and

WHEREAS, Eighth, in light of the foregoing, the City Commission finds that it is in the best interest of the residents of the City to oppose the creation of the District.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Weston, Florida:

Section 1: The foregoing recitals contained in the preamble to this Resolution are incorporated by reference herein.

Section 2: The City Commission opposes the local bill proposing to create the Broward Independent Fire District.

Section 3: The City Commission requests the Broward Legislative Delegation, the Florida House of Representatives, the Florida Senate, and the Florida Governor to oppose the local bill creating the District.

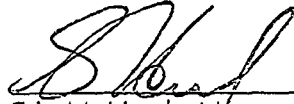
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WESTON, FLORIDA, OPPOSING THE LOCAL BILL PROPOSING TO CREATE THE BROWARD INDEPENDENT FIRE DISTRICT.

Section 4: The appropriate City officials are authorized to execute all necessary documents to effectuate the intent of this Resolution.


Section 5: The City Clerk is directed to provide a copy of this Resolution to the Broward Legislative Delegation, President of the Florida Senate, the Speaker of the Florida House of Representatives, the Florida Governor, the Florida League of Cities, the Board of County Commissioners for Broward County, the Broward League of Cities, the Broward City County Management Association, and all municipalities in Broward County.

Section 6: This Resolution shall take effect upon its adoption.

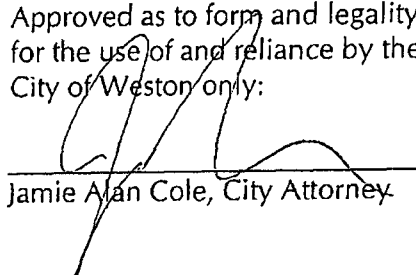
ADOPTED by the City Commission of the City of Weston, Florida, this 1st day of February 2010.


Eric M. Hersh, Mayor

ATTEST:


Patricia A. Bates, City Clerk

Approved as to form and legality
for the use of and reliance by the
City of Weston only:

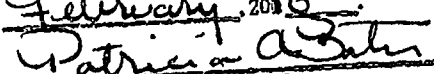

Jamie Alan Cole, City Attorney

Roll Call:

Commissioner Stermer	<u>Yes</u>
Commissioner Henriksson	<u>Yes</u>
Commissioner Chermak	<u>Yes</u>
Commissioner Gomez	<u>Yes</u>
Mayor Hersh	<u>Yes</u>

CERTIFICATION

I CERTIFY THIS TO BE A TRUE & CORRECT
COPY OF THE ORIGINAL DOCUMENT ON
FILE.

WITNESS MY HAND AND OFFICIAL SEAL OF
THE CITY OF WESTON, IN THE COUNTY OF
BROWARD, FLORIDA, THIS 10th DAY OF
February, 2010.

CITY CLERK